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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 JIMMIE BURTS,

8 Plaintiff,

9 v.

10 NANCY A BERRYHILL, Deputy
11 Commissioner of Social Security for Operations,

12 Defendant.

Case No. C18-5010 RAJ

ORDER OF DISMISSAL

13 This matter comes before the Court on Defendant's Motion to Dismiss pursuant to Rule
14 41(b), filed July 11, 2018, and noted for August 3, 2018. Dkt. 17. The Scheduling Order
15 required Plaintiff to file his opening brief by July 5, 2018. Dkt. 16. Plaintiff has not filed an
16 opening brief, has not filed any response to Defendant's Motion to Dismiss, and has not
17 requested any extension of time. Therefore, the Court **GRANTS** Defendant's motion.

18 It is hereby **ORDERED** that this matter is **DISMISSED** for failure to prosecute. This
19 dismissal is without prejudice for Plaintiff to re-file the matter within the proper statutory
20 limitations.

21 DATED this 7th day of August, 2018.

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23 The Honorable Richard A. Jones
United States District Judge